



Town Council Agenda Report

SUBJECT: Resolution - Plat Amendment

DG 8-1-00, Main Street Plat - 5645 South University Drive, Generally located on the west side of University Drive approximately 1/4 mile north of Stirling Road.

CONTACT PERSON/NUMBER

Mark A. Kutney, AICP (797-1101)

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "MAIN STREET PLAT", AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

The applicant proposes to amend the restrictive note on the plat **from** 114,484 square feet of commercial use and 31,628 square feet of office use; **to** 138,484 square feet of commercial use and 31,628 square feet of office use. This request enables the developer to expand the existing shopping center building with an additional 24,000 square feet of retail and storage areas. Approval shall be subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.

PREVIOUS ACTIONS: None

CONCURRENCES: None

RECOMMENDATION(S): Motion to approve.

Attachment(s): Resolution, Planning report, Justification, Plat, Land Use map, Subject Site map, and Aerial.

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "MAIN STREET PLAT", AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as Main Street Plat was recorded in the public records of Broward County in Plat Book 128, Page 44; and

WHEREAS, the owners desire to revise the restrictive note associated with said plat; and

WHEREAS, Broward County requires the Town of Davie concur with this revision prior to a review of the proposed revision by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve the proposed revision to the restrictive note shown on the Main Street Plat, the proposed revision being specifically described on the planning report attached hereto as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2000.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2000.

Application #: DG 8-1-00
Main Street Plat

Revisions:

Exhibit "A"

Original Report Date: August 24, 2000

**TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation**

Applicant Information

Owner:

Name: G.P. Davie, Ltd.
c/o Southeast Properties

Address: 1645 SE 3 Court
Suite 200

City: Deerfield Bch. FL 33441

Phone: (954) 420-1001

Agent:

Name: C. William Laystrom, Jr.

Address: 1177 SE 3 Avenue

City: Ft. Laud., FL 33316

Phone: (954) 762-3400

Background Information

Application Request: The applicant proposes to amend the restrictive note on the plat **from** 114,484 square feet of commercial use and 31,628 square feet of office use; **to** 138,484 square feet of commercial use and 31,628 square feet of office use.

Address/Location: 5645 South University Drive, Generally located on the west side of University Drive approximately 1/4 mile north of Stirling Road.

Land Use Plan Designation: Commercial

Zoning: B-2, Community Business District

Existing Use: Davie Square Shopping Center

Proposed Use: 24,000 square foot expansion of existing 92,436 square foot shopping center

Parcel Size: 16.254 acres

Surrounding Land Use:

North: University Dodge (auto dealership)
South: University Creek Shopping Center
East: Vacant and Single family residence
West: Vacant

Surrounding Zoning:

North: B-3, Planned Business District
South: B-2, Community Business District
East: CC, Commerce Center District
West: B-1, Neighborhood Business District

Zoning History

Related Zoning History: None

Previous Requests on same property: Town Council approved a site development plan for a 92,436 square foot shopping center, with associated parking and landscaping on a 16.254 acre parcel, on January 15, 1986, with conditions.

The subject plat was recorded on September 19, 1986, Plat Book 128, Page 44 of the Broward County records.

Summary of Significant Development Review Agency Comments None

Applicable Codes and Ordinances None

Comprehensive Plan Considerations

Planning Area: The proposed project is within the Planning Area No. 10 generally located north of Stirling Road, south of Griffin Road, east of Pine Island Road, and west of SW 76 Avenue. This area is the westernmost boundary of the the Town not including the Ivanhoe Area. The subject area is west of University Drive is developed predominately of commercial uses such as retail centers and office buildings and small scale residential areas. The area also includes six parcels of community facility uses such as libraries, churches and private school.

Broward County Comprehensive Plan: The Broward County Comprehensive Plan requires that any changes to the restrictive note on the plat be reviewed and approved or disapproved by the municipality, and with final approval by Broward County Commission.

Flexibility Zone: The proposed plat is in Flexibility Zone 102.

Concurrency Considerations: Based upon the most recently distributed edition of the Broward County Overcapacity Roadway Map, the subject area is not in a compact deferral area.

Applicable Goals, Objectives & Policies: Several plan policies require consideration of traffic impacts from proposed development, and maintenance of adopted levels of service (see concurrency considerations).

Staff Analysis

The delegation request provides for a 24,000 square foot increase in commercial use from 114,484 square feet to 138,484 square feet. The increase in square footage will enable the developer to provide 17,325 square feet increase in retail area together with 6,675 square feet of storage area to the center.

Staff finds the delegation request is consistent with the B-2, Community Business District permitted uses and is subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.

Findings of Fact

The proposed change is not contrary to the Land Development Code or the adopted Comprehensive Plan, as amended, or any element or portion thereof.

Staff Recommendation

Recommendation: Based upon the above and the positive findings of fact, staff recommends approval of application number DG 8-1-00, subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.

Exhibits

Resolution, Planning Report, Justification letter, Plat, Land Use Map, Subject Site, and Aerial

Prepared By: ____

Reviewed By: ____

LAW OFFICES
**DOUMAR, ALLSWORTH, CURTIS, CROSS, LAYSTROM,
PERLOFF, VOIGT, WACHS & MAC IVER, LLP**

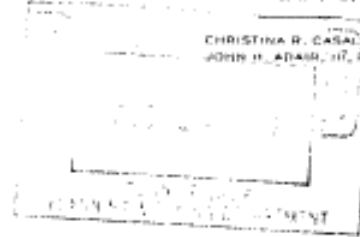
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& BOARD CERTIFIED REAL ESTATE LAWYER
** CERTIFIED CIRCUIT CIVIL AND FAMILY MEDIATOR



August 23, 2000

Town of Davie Planning And Zoning
Attention: Geri Baluss
6591 S. W. 45th Street
Davie, Florida 33314

Re: Main Street Plat - Plat Note Amendment

Dear Geri:

Please treat this correspondence as our letter of justification for the Town's consideration and approval of the plat note amendment. The owner of Davie Square Shopping Center which is located on the west side of University Drive just north of Sterling Road proposes to expand the center to add additional commercial tenants to the northern wing of the center. The Davie Square Shopping Center is a well established, retail development serving the adjacent community. The owner has decided to take advantage of the demand for additional space at this location by expanding this facility. The property can support expansion at two (2) locations: an undeveloped outparcel and the northwest corner of the site now occupied by an exterior storage area enclosed with perimeter fences and walls. This site is unusually positioned to support the proposed 24,000 square feet of retail addition for the following reasons:

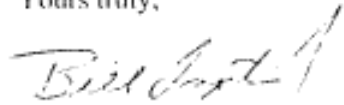
- a. The existing exterior storage area will be replaced with new construction and landscaping matching the Architectural vernacular of the existing center.
- b. The addition can be supported by the existing parking provided. No new asphalt will be required.
- c. The building coverage will increase from approximately 14% to 18% whereas, 40% is allowed by code.

- d. The "landscape surface ratio" will remain in excess of 34% whereas the code requires 30%.

Should the Town need any additional information, please do not hesitate to contact me.

The applicant will also be processing a site plan amendment through the Town's site plan approval process.

Yours truly,



C. WILLIAM LAYSTROM, JR.
FOR THE FIRM

CWL:ks

cc: Robert Geiserman
Itamar Goldenholz
Richard Eppy

